

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 1-3, 5-8, 14-16, 18-20, 24, 25, and 27-42 are pending. Claims 33-35, 37, 38, and 40 stand rejected. Claims 36, 39, 41 and 42 have been objected to. Claims 1-3, 5-8, 14-16, 18-20, 24, 25, and 27-32 have been allowed.

Claims 33, 37, and 38 have been amended. Claims 36, 39, 41, and 42 have been cancelled. Claims 43 and 44 have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Rejections Under 35 U.S.C. § 103(a)

Claims 33-35, 37, 38 and 40 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,509,007 of Takashima et al. ("Takashima") in view of U.S. Patent No. 5,583,868 of Rashid et al. ("Rashid").

The Examiner has rejected claims 33-35, 37, 38 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Takashima in view of Rashid.

Applicants respectfully submit, however, that amended claims 33-35, 37, 38, and 40 are not rendered obvious under 35 U.S.C. § 103 by Takashima in view of Rashid.

Claim 33 includes the following limitations.

A method, comprising identifying partially filled ATM cells within an ATM cell stream according to a lookup table indexed by connection identification information indicating whether or not a connection includes partially filled ATM cells that can be merged, and merging two or more of the partially filled ATM cells into a fully packed ATM cell, wherein the fully packed ATM cell includes information indicative of the padding method used in the two or more partially filled ATM cells.

(Amended claim 33) (emphasis added).

In contrast, neither Takashima nor Rashid disclose the limitation of a fully packed ATM cell including information indicative of the padding method used in the two or more partially filled ATM cells, as indicated by the Examiner.

Given that claims 34 and 35 depend, directly or indirectly from claim 33, applicants submit that claims 34 and 35 are, likewise, not obvious under § 103 in view of the references cited by the Examiner.

Claim 37 includes the following limitations.

An ATM mode, comprising a cell merging apparatus configured to identify partially filled ATM cells within a cell stream according to lookup table indexed by connection identification information, ~~and to merge two or more partially filled ATM cells into a third ATM cell,~~ and to avoid cell out-of-order transmission within the cell stream and before a fully packed cell when VPIs/SCIs of the two or more partially filled ATM cells and a VCI/VPI of the fully packed ATM cell match.

(Amended claim 37) (emphasis added).

In contrast, neither Takashima nor Rashid disclose the limitation of a cell merging apparatus configured to avoid cell out-of-order transmission within the cell stream and before a fully packed cell when VPIs/SCIs of the two or more partially filled ATM cells and a VCI/VPI of the fully packed ATM cell match, as indicated by the Examiner.

Given that claims 38 and 40 depend from claim 37, applicants submit that claims 38 and 40 are, likewise, not obvious under § 103 in view of the references cited by the Examiner.

Applicants further respectfully submit that new claims 43 and 44 are not rendered obvious under 35 U.S.C. § 103 by Takashima in view of Rashid. Claim 43 includes the following limitations.

An ATM mode, comprising a cell merging apparatus configured to identify partially filled ATM cells within a cell stream according to lookup table indexed by connection identification information, ~~and to merge two or more partially filled ATM cells into a third ATM cell,~~ and to construct the third ATM cell so that the third ATM cell includes information indicative of a padding method used for the partially filled ATM cells.

(New claim 43) (emphasis added).

In contrast, neither Takashima nor Rashid disclose the limitation of a cell merging apparatus configured to construct a third ATM cell so that the third ATM cell includes information indicative of the padding method used for the partially filled ATM cells, as indicated by the Examiner.

Given that claim 44 depends from claim 43, applicants submit that claim 44 is, likewise, not obvious under § 103 in view of the references cited by the Examiner.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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8/18/04

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